

**REMARKS / DISCUSSION OF ISSUES**

The present amendment is submitted in response to the Final Office Action mailed April 11, 2011. In view of the amendments above and the remarks to follow, reconsideration and allowance of this application are respectfully requested.

***Status of Claims***

Upon entry of the present amendment, claims 1-19 will remain pending in this application. Claims 1 and 9 have been amended. Applicants respectfully submit that no new matter is added by the present amendments.

***Interview Summary***

Applicants appreciate the courtesy granted to Applicant's attorney, Michael A. Scaturro (Reg. No. 51,356), during a telephonic interview conducted on Monday, June 6, 2011. Discussion focused on a set of proposed amendments to the independent claims, particularly disclosing that the features of the functionality device are not part of the standard features of the entertainment system, nor are the features of the functionality device the same or related to the standard feature of the entertainment system, and the idea that the features of the functionality device are not transferred and do not reside in the entertainment system. For the first proposed amendment, further search and consideration is needed. For the second proposed amendment, the Examiner pointed to Streimer for teaching the newly recited feature.

***Claim Rejections under 35 USC 103***

**I. In the Office Action, Claims 1, 3-5, 7-9, 12-13, and 18-19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Striemer et al. (U.S. Patent No. 6,931,463) in view of DeGeorge (U.S. Application No. 2003/0135868), Hind (U.S. Patent No. 6,772,331) and Zhou (U.S. Patent No. 7,010,624). The rejections are respectfully traversed.**

**Claims 1, 3-5, 7-9, 12-13, and 18-19 are allowable**

The Office cites Zhou for allegedly disclosing the following claim limitation, not explicitly disclosed by Strierner, DeGeorge, Hind and Zhou. In the Office Action, the Examiner states that the additional functionality features in relation to the standard features as disclosed in the claim is broad, as it can potentially apply to not just a specific function and a more capable like function (e.g., function A v. 1 to function A v. 2), but also to situations where there exists a standard set of functions and a set of additional functions (e.g., function A to function B).

In response, it is respectfully submitted that independent claim 1, as herewith amended, is clearly patentably distinguishable over the combination of (Strierner/ DeGeorge/ Hid/ Zhou). More particularly, the cited portions of (Strierner/ DeGeorge/ Hid/ Zhou) do not anticipate claim 1, because the cited portions of (Strierner/ DeGeorge/ Hid/ Zhou) fail to disclose every element of claim 1. For example, the cited portions of (Strierner/ DeGeorge/ Hid/ Zhou) fail to disclose or suggest,

*"... A) the entertainment device being operable to perform the one or more additional functionality features associated with said one or more functionality devices and which are non-standard features of said entertainment device, wherein the additional functionality features are **unrelated to and different from the standard features of the entertainment device and** performed whilst the one or more functionality devices is in proximity to the electronic device;..."*

Applicants have amended Claim 1 to recite that the additional functionality features are **unrelated to and different from the standard features of the entertainment device**. Support for the amendment can be found, for example, at page 7 of Applicant's specification, wherein it states an additional functionality provided by a functionality device may be an image processing package, for example enabling a viewer of a DVD film to stop the film, to zoom onto an arbitrary area of the film by controlling an extent and position of the zoom area by the remote control. In other words, the image processing package was not a standard feature of the entertainment device.

Applicants respectfully submit that the applied art (Strierner/ DeGeorge/ Hind/ Zhou) fails to teach or suggest the newly recited feature set forth in independent claim 1. The Office

cites Zhou for teaching aspects of the additional functionality feature. Applicants note that Zhou merely teaches systems and methods of **delivering and updating software**, and more particularly, to systems and methods for **delivering and updating device drivers**. See Zhou, col. 1, lines 5-10. However, Zhou does not teach or suggest that the software / device drivers are unrelated to and different from the standard features of the entertainment device. Zhou teaches that if two revisions of the device-specific driver are available to the host computer then the two revisions can be compared. Both the device and the host computer, as applicable, **can then be updated** to whichever of the two revisions is the latest revision of the device-specific driver. See Zhou, col. 5, lines 10-50. It is respectfully submitted that delivering and updating software / device drivers is different from providing additional functionality to an entertainment device that was not initially provided in the entertainment device. Further, for consistency, Applicants have canceled claim language directed to the standard features being selectively updatable by the additional functionality features in light of Applicant's amendment reciting that the additional functionality features are unrelated to and different from the standard features of the entertainment device. Hence, claim 1 is allowable.

It is respectfully submitted that independent Claim 9 has been amended to recite similar features as those of independent Claim 1.

Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) with respect to Claims 1 and 9 and allowance thereof are respectfully requested.

Claims 3-5, 7-8, 12-13, and 18-19 depend from one of independent Claims 1 and 9 and therefore include the claim limitations of their respective independent claims.

**II. Claims 2, 6, and 10-11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Strierner, DeGeorge, Hind, and Zhou in view of Henrie et al. (U.S. Patent No. 6,519,144). The rejections are respectfully traversed.**

**Claims 2, 6 and 10-11 are allowable**

Claims 2, 6, and 10-11 depend respectively from independent Claims 1 and 9 and therefore include the claim limitations found in Claims 1 and 9. Claims 2, 6, and 10-11 are allowable over the prior art of record for at least the same reasons presented above for the patentability of independent Claims 1 and 9. Additionally, Henrie does not address the deficiencies of Strierner, DeGeorge, Hind and Zhou with respect to independent Claims 1 and 9. Accordingly, the withdrawal of the rejection under 35 U.S.C. §103(a) with respect to dependent Claims 2, 6, and 10-11 and allowance thereof are respectfully requested.

**III. Claims 14 and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Strierner, DeGeorge, Hind, Zhou in view of Silvester et al. (U.S. Application No. 2003/0068034). The rejections are respectfully traversed.**

**Claims 14 and 17 are allowable**

Claims 14 and 17 depend from independent Claims 1 and 9 and therefore include the claim limitations found in Claim 1. Claims 14 and 17 are allowable over the prior art of record for at least the same reasons presented above for the patentability of independent Claim 1. Additionally, Sylvester does not address the deficiencies of Strierner, DeGeorge, Hind and Zhou with respect to independent Claim 1. Accordingly, the withdrawal of the rejection under 35 U.S.C. §103(a) with respect to dependent Claims 14 and 17 and allowance thereof are respectfully requested.

**IV. Claims 15 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Strierner, DeGeorge, Hind and Zhou in view of Kelley et al. (U.S. Application No. 2004/0253944). The rejections are respectfully traversed.**

**Claims 15 and 16 are allowable**

Claims 15 and 16 depend respectively from independent Claims 1 and 9 and therefore include the claim limitations found in Claims 1 and 9. Claims 15 and 16 are allowable over the prior art of record for at least the same reasons presented above for the patentability of

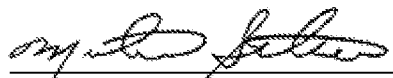
independent Claims 1 and 9. Additionally, Kelley does not address the deficiencies of Striemer, DeGeorge, and Hiltgen with respect to independent Claims 1 and 9. Accordingly, the withdrawal of the rejection under 35 U.S.C. §103(a) with respect to dependent Claims 15 and 16 and allowance thereof are respectfully requested.

### **Conclusion**

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-19 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Mike Belk, Esq., Intellectual Property Counsel, Philips Electronics North America, at 914-333-9643.

Respectfully submitted,



Michael A. Scaturro  
Reg. No. 51,356  
Attorney for Applicants

**Mailing Address:**  
**Intellectual Property Counsel**  
**Philips Electronics North America Corp.**  
**P.O. Box 3001**  
**345 Scarborough Road**  
**Briarcliff Manor, New York 10510-8001**